



House of Representatives

File No. 425

General Assembly

January Session, 2003

(Reprint of File No. 129)

House Bill No. 6442
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
April 16, 2003

AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR ADOPTED CHILDREN.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 38a-508 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) Each individual health insurance policy providing coverage of
4 the type specified in subdivisions (1), (2), (4), (6), (10), (11) and (12) of
5 section 38a-469 delivered, issued for delivery, amended, renewed or
6 continued in this state shall provide coverage for a child legally placed
7 for adoption with the insured or subscriber who is an adoptive parent
8 or a prospective adoptive parent, even though the adoption has not
9 been finalized, provided the child lives in the household of such
10 insured or subscriber and the child is dependent upon such person for
11 support and maintenance.

12 (b) Coverage for such child legally placed for adoption shall consist
13 of coverage for injury and sickness including necessary care and
14 treatment of medically diagnosed congenital defects and birth

15 abnormalities within the limits of the policy.

16 (c) If payment of a specific premium or subscription fee is required
17 to provide coverage for a child legally placed for adoption with the
18 insured or subscriber who is an adoptive parent or a prospective
19 adoptive parent, the policy or contract may require that notification of
20 acceptance of such child and payment of the required premium or fees
21 be furnished to the insurer, hospital or medical service corporation or
22 health care center within thirty-one days after the acceptance of such
23 child in order to continue coverage beyond such thirty-one-day period,
24 provided failure to furnish such notice or pay such premium or fees
25 shall not prejudice any claim originating within such thirty-one-day
26 period.

27 (d) Such policy (1) shall cover such child legally placed for adoption
28 on the same basis as other dependents, and (2) may not contain any
29 provision concerning preexisting conditions, insurability, eligibility or
30 health underwriting approval for a child legally placed for adoption,
31 except that an insurer, hospital or medical service corporation or
32 health care center may require health underwriting for a child legally
33 placed for adoption if a required premium or subscription fee and
34 completed application materials are not provided to the insurer,
35 hospital or medical service corporation or health care center before the
36 expiration of the thirty-one-day period following the date the child
37 was legally placed for adoption.

38 Sec. 2. Section 38a-549 of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective October 1, 2003*):

40 (a) Each group health insurance policy providing coverage of the
41 type specified in subdivisions (1), (2), (4), (6), (10), (11) and (12) of
42 section 38a-469 delivered, issued for delivery, amended, renewed or
43 continued in this state shall provide coverage for a child legally placed
44 for adoption with an employee or other member of the covered group
45 who is an adoptive parent or a prospective adoptive parent, even
46 though the adoption has not been finalized, provided the child lives in

47 the household of such employee or member and the child is dependent
48 upon such employee or member for support and maintenance.

49 (b) Coverage for such child legally placed for adoption shall consist
50 of coverage for injury and sickness including necessary care and
51 treatment of medically diagnosed congenital defects and birth
52 abnormalities within the limits of the policy.

53 (c) If payment of a specific premium or subscription fee is required
54 to provide coverage for a child legally placed for adoption with the
55 insured or subscriber who is an adoptive parent or a prospective
56 adoptive parent, the policy may require that notification of acceptance
57 of such child and payment of the required premium or fees be
58 furnished to the insurer, hospital or medical service corporation or
59 health care center within thirty-one days after the acceptance of such
60 child in order to continue coverage beyond such thirty-one-day period,
61 provided failure to furnish such notice or pay such premium or fees
62 shall not prejudice any claim originating within such thirty-one-day
63 period.

64 (d) Such policy (1) shall cover such child legally placed for adoption
65 on the same basis as other dependents, and (2) may not contain any
66 provision concerning preexisting conditions, insurability, eligibility or
67 health underwriting approval for a child legally placed for adoption,
68 except that an insurer, hospital or medical service corporation or
69 health care center may require health underwriting for a child legally
70 placed for adoption if a required premium or subscription fee and
71 completed application materials are not provided to the insurer,
72 hospital or medical service corporation or health care center before the
73 expiration of the thirty-one-day period following the date the child
74 was legally placed for adoption.

This act shall take effect as follows:	
Section 1	October 1, 2003

Sec. 2	<i>October 1, 2003</i>
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The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Comptroller Misc. Accounts (Fringe Benefits)	Various - None	None	None
Insurance Dept.	IF - None	None	None

Note: IF=Insurance Fund

Municipal Impact: None

Explanation

The bill amends the medical underwriting requirement for adopted children to be on an equal basis with other covered dependents and has no fiscal impact to the state.

House "A" makes technical changes with no fiscal impact.

OLR Bill Analysis

HB 6442 (As amended by House "A") *

AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR ADOPTED CHILDREN**SUMMARY:**

This bill establishes an exception to the prohibition against certain policy provisions that affect insurance coverage for adopted children. It permits insurers, hospital or medical service corporations, or health care centers (HMOs) to evaluate the health (health underwriting) of an adopted child who is being added as a covered beneficiary under his adopted parent's health insurance plan if the required premium or subscription fee and completed application are not received by the insurer, hospital or medical service corporation, or HMO before the expiration of the 31-day period following the date the child was legally placed for adoption.

Under current law, a legally adopted child may be added to his adoptive parent's individual or group health insurance policy and no preexisting condition, insurability, eligibility, or underwriting approval provision may be imposed on him if the insurer is given notice of the adoption and the parents pay any additional premium within 31 days of the insurer's acceptance of the adopted child.

*House Amendment "A" adds the words "subscription fees" to cover the addition of an adopted child under a health plan, substitutes health underwriting for medical underwriting, and changes the start of the 31-day period from the date the adopted child was accepted for coverage under the policy to the date the child was legally placed for adoption.

EFFECTIVE DATE: October 1, 2003

POLICIES SUBJECT TO THE REQUIREMENT

The bill applies to individual and group policies that pay for (1) basic hospital expenses, (2) basic medical-surgical expenses, (3) major

medical expenses, (4) accident expenses, (5) limited benefit expenses, (6) hospital or medical expenses, and (7) hospital and medical expenses paid by HMOs. The policy must be delivered, issued for delivery, amended, renewed, or continued in Connecticut on or after October 1, 2003.

COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable Report

Yea 16 Nay 0